

DEPARTMENT OF EDUCATION
SPECIAL EDUCATION PROGRAMS
Castlewood School District
Accountability Review - Monitoring Report 2011-2012

Team Members: Diane Reyelts, Team Leader; Chris Sargent, Education Specialist; and Bev Petersen, Transition Liaison

Dates of On Site Visit: September 20, 2011

Date of Report: November 17, 2011

All non-compliance must be corrected within 1 year of this report date. Date Closed:

Program monitoring and evaluation.

In conjunction with its general supervisory responsibility under the Individuals with Disabilities Education Act, Part B, Special Education Programs (SEP) of the Office of Educational Services and Support shall monitor agencies, institutions, and organizations responsible for carrying out special education programs in the state, including any obligations imposed on those agencies, institutions, and organizations. The department shall ensure:

- (1) That the requirements of this article are carried out;
- (2) That each educational program for children with disabilities administered within the state, including each program administered by any other state or local agency, but not including elementary schools and secondary schools for Native American children operated or funded by the Secretary of the Interior:
 - (a) Is under the general supervision of the persons responsible for educational programs for children with disabilities in the department; and
 - (b) Meets the educational standards of the state education agency, including the requirements of this article; and
- (3) In carrying out this article with respect to homeless children, the requirements of the McKinney-Vento Homeless Assistance Act, as amended to January 1, 2007, are met. (Reference- ARSD 24:05:20:18.)

State monitoring--Quantifiable indicators and priority areas.

The department shall monitor school districts using quantifiable indicators in each of the following priority areas, and using such qualitative indicators as are needed to adequately measure performance in those areas:

- (1) Provision of Free Appropriate Public Education (FAPE) in the least restrictive environment;
 - (2) Department exercise of general supervision, including child find, effective monitoring, the use of resolution meetings, mediation, and a system of transition services as defined in this article and article 24:14; and
 - (3) Disproportionate representation of racial and ethnic groups in special education and related services, to the extent the representation is the result of inappropriate identification. (Reference-ARSD 24:05:20:18:02.)
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State enforcement -- Determinations.

On an annual basis, based on local district performance data, information obtained through monitoring visits, and other information available, the department shall determine whether each school district meets the requirements and purposes of Part B of the IDEA...

Based upon the information obtained through monitoring visits, and any other public information made available, Special Education Programs of the Office of Educational Services and Support determines if the agency, institution, or organization responsible for carrying out special education programs in the state:

- Meets the requirements and purposes of Part B of the Act;
- Needs assistance in implementing the requirements of Part B of the Act'
- Needs intervention in implementing the requirements of Part B of the Act; or
- Needs substantial intervention in implementing the requirements of Part B of the Act. (Reference-ARSD 24:05:20:23.04.)

Deficiency correction procedures.

The department shall require local education agencies to correct deficiencies in program operations that are identified through monitoring as soon as possible, but not later than one year from written identification of the deficiency. The department shall order agencies to take corrective actions and to submit a plan for achieving and documenting full compliance. (Reference-ARSD 24:05:20:20.)

NONCOMPLIANCE ISSUES:

1. GENERAL SUPERVISION

ARSD 24:05:25:04.03. Determination of eligibility. Upon completing the administration of assessments and other evaluation measures as required by this chapter, the individual education program team and other qualified individuals required by § 24:05:25:04.02 shall determine whether the student is a student with a disability, and shall determine the educational needs of the child, as defined in this article. The school district shall provide a copy of the evaluation report and the documentation of determination of eligibility at no cost to the parent. A student may not be determined to be a student with a disability if the determinant factor for that decision is lack of appropriate instruction in reading, including the essential components of reading instruction as defined in ESEA, or lack of appropriate instruction in math or limited English proficiency and if the student does not otherwise meet the eligibility criteria under chapter § 24:05:24.01.

ARSD 24:05:24.01:12. Multiple disabilities defined. Multiple disabilities means concomitant impairments (such as a cognitive disability-blindness or a cognitive disability-orthopedic impairment), the combination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments.

Corrective Action:

<p>Prong 1: District needs to correct each individual case of noncompliance.</p> <p>Through a review of student records, the monitoring team determined that one student was identified on child count under the category of Multiple Disabilities. Evaluation data did not reveal associated impairments producing needs which would require the provision of different special education programs for each of the impairments.</p>		
Student:	Required Action:	Data to be Submitted:
<p>Student #2</p> <p>The student was identified with Multiple Disabilities based on meeting the eligibility criteria for the categories of Other Health</p>	<p>The district must initiate reevaluation procedures to review existing data and determine what evaluation data is needed to support the suspected disability category. Prior notice/consent and parent input into the evaluation must be documented.</p> <p>The evaluation process must be completed within 25 school</p>	<p>The following documentation must be submitted:</p> <ol style="list-style-type: none"> 1. Prior notice/consent for evaluation 2. Copies of all evaluation reports 3. Prior notice for eligibility determination meeting

Impairment and Educational Disturbance. However, the same behaviors were the basis for eligibility in both of these categories.	days unless other timelines are agreed upon. Upon completion of the evaluation process, an IEP team meeting will be scheduled using meeting notice procedures. The IEP team will meet to review the evaluation results, make eligibility decisions, and complete the eligibility determination document.	4. Determination of eligibility/MDT document
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Prong 2: Correctly implement the specific regulatory requirements (i.e. achieved 100% compliance), based on the SEA's review of <u>updated data</u>.	
Required Action: The district must review and revise current policy, procedure and practice to ensure that decisions for eligibility in the category of multiple disabilities are based on the following factors: (a) The student's educational needs provide evidence of eligibility in two or more other disability categories; and (b) These needs are so significant that they cannot be addressed in a special education program for one of the impairments.	
Data To Be Submitted: For each student on the December 1, 2011 child count in the category of Multiple Disabilities, the following documentation must be submitted: <ol style="list-style-type: none"> 1)Copies of all evaluation reports from most recent evaluation 2)Determination of eligibility document from most recent evaluation 3)Current IEP 	
Timeline for Completion: Submit documentation by January 30, 2012 to the team leader.	
All non-compliance must be corrected within 1 year of this report date.	
Date: Status Report:	

2. GENERAL SUPERVISION

ARSD 24:05:25:04. Evaluation procedures -- General. School districts shall ensure, at a minimum, that evaluation procedures include the following:

- The child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities; and
- The evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified.

Corrective Action:**Prong 1: District needs to correct each individual case of noncompliance.**

Through interview and a review of student records, the monitoring team noted that students were not assessed in all areas of suspected disability

Student:	Required Action:	Data to be Submitted:
Student # 5 This student was identified on child count under the category of Specific Learning Disability. Existing data from previous evaluations and current educational performance documented the presence of health-related concerns. However, these concerns were not considered when making the most recent eligibility determination.	The district must initiate reevaluation procedures to review existing data and determine what evaluation data is needed to support the suspected disability category. Prior notice/consent and parent input into the evaluation must be documented. The evaluation process must be completed within 25 school days unless other timelines are agreed upon. Upon completion of the evaluation process, an IEP team meeting will be scheduled using meeting notice procedures. The IEP team will meet to review the evaluation results, make eligibility decisions, and complete the eligibility determination document.	The following documentation must be submitted: <ol style="list-style-type: none">1. Prior notice/consent for evaluation2. Copies of all evaluation reports3. Prior notice for eligibility determination meeting4. Determination of eligibility/MDT document

Prong 2: Correctly implement the specific regulatory requirements (i.e. achieved 100% compliance), based on the SEA's review of updated data.**Required Action:**

The district must review and revise current policy, procedure and practice to ensure that students are evaluated in all areas of suspected disability based on existing or referral data.

Data To Be Submitted:

The district must submit the following documentation for a student who has been initially evaluated or reevaluated since the on-site review:

1. Referral/documented review of existing data
2. Prior notice/consent for evaluation
3. Copies of all evaluation reports
4. Prior notice for eligibility determination meeting
5. Determination of eligibility/MDT document

Timeline for Completion: Submit documentation by January 30, 2012 to the team leader.

All non-compliance must be corrected within 1 year of this report date.

Date:

Status Report:

3. GENERAL SUPERVISION

ARSD 24:05:27:01.02. Development, review, and revision of individualized education program. In developing, reviewing, and revising each student's individualized education program, the team shall consider the strengths of the student and the concerns of the parents for enhancing the education of their student, the results of the initial or most recent evaluation of the student, the academic, developmental, and functional needs of the student. The individualized education program team also shall: (1) In the case of a student whose behavior impedes his or her learning or that of others, consider the use of positive behavioral interventions and supports and other strategies to address that behavior;

Corrective Action:

<u>Prong 1: District needs to correct each individual case of noncompliance.</u>		
Through a review of student records, the monitoring team identified one student with behavior needs that were not addressed when considering special factors during the development of the IEP.		
Student:	Required Action:	Data to be Submitted:
Student # 6 This student was identified on child count under the category of Autism. When considering special factors during the development of the IEP, the team indicated the student did not have any behavior concerns. Evaluation and diagnosis indicated otherwise. Positive intervention strategies were not developed to address the student's behavior issues.	The IEP team must meet to amend the special factors, section of the student's IEP to develop positive intervention strategies that their teachers must implement to address the behavior needs of these students.	The following documentation must be submitted: <ol style="list-style-type: none"> 1. Prior notice for amendment meeting 2. Amended IEP that includes positive intervention strategies addressing the student's behavior
<u>Prong 2: Correctly implement the specific regulatory requirements (i.e. achieved 100% compliance), based on the SEA's review of updated data.</u>		
Required Action: The district must review and revise current policy, procedure and practice to ensure that consideration for special factors (behavior impedes learning) is appropriately addressed in the IEPs for students with behavior-based disabilities and other behavior concerns.		
Data To Be Submitted: The district must submit the current IEPs for all students in the category of Autism (560) to verify the IEP team has developed positive intervention strategies and support for each of these students		
Target Date for Completion: Submit documentation by December 16, 2011 to the team leader		
All non-compliance must be corrected within 1 year of this report date.		
Date:		
Status Report:		

STATE PERFORMANCE PLAN –PERFORMANCE INDICATORS

Indicator 1: -Graduation Rate:

District Policy, Procedure and Practice:

The District's graduation rate was 100% compared to the State target of 83%. The policy and practice of the Castlewood School District is to provide special education services to students through the age of 21, including transition, employment opportunities, and the credit recovery program. Summer school is provided for credit recovery. The after-school program is available for all students. The district's 4-day school week allows students the opportunity to come in on Fridays for additional assistance. The district also attributes the success to dedicated staff and administration.

Indicator 8- Parental Involvement

District Policy, Procedure and Practice:

The Castlewood School District rate is 13.3% compared to the State target of 64.2%. The District's plan to meet the State's target is to have parents complete the survey at the Annual Review, put them in a sealed envelope, and return to the school in the mail. The District feels this is an important indicator because it provides feedback that leads to awareness of specific concerns of the parents of students on IEPs.